

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 18, 1979

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, April 18, 1979 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - Katnich, McCarty, Pinkerton and Katzakian (Mayor)</p> <p>Absent: Councilmen - Hughes</p> <p>Also Present: City Manager Graves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Mullen, and City Clerk Reimche.</p>
INVOCATION	The invocation was given by Reverend Eric Coulon, First Baptist Church.
PLEDGE	Mayor Katzakian led the Pledge of Allegiance to the flag.
MINUTES	On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council approved the Minutes of March 21, 1979.
PROCLAMATION	Mayor Katzakian proclaimed the week of April 15 - 21, 1979 as "Private Property Week" and presented the Proclamation to Mr. Jeff Kirst.
PUBLIC HEARINGS	
LODI DOOR & METAL CO., INC. REZONING ORD. NO. 1169 INTRO.	<p>Notices thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider the City Planning Commission's recommendation and certification of the filing of a Negative Declaration by the Community Development Director of the request of Lodi Door and Metal Company, Inc. to amend the Land Use Element of the General Plan and to rezone a parcel on the north side of East Pine Street, east of Cluff Road; and,</p> <p>Consider the City Planning Commission's recommendation for approval of the request of Lodi Door and Metal Company, Inc. to amend the Land Use Element of the General Plan by changing a 13.88 acre area which is located between State Route 12 (Victor Road) and East Pine Street, east of Cluff Road from Phase 2 to Phase 1 of Industrial Development; and</p>

LODI DOOR &
METAL
ORD. 1169
INTRO.
(Cont'd)

Consider the City Planning Commission's recommendation for approval of the request of Lodi Door and Metal Company, Inc. to rezone a 7.6 acre parcel on the north side of East Pine Street, east of Cluff Road from U-H, Unclassified Holding District to M-2, Heavy Industrial District.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area.

Speaking on behalf of the matter was:

Mr. Dan Anderson, 1600 Edgewood Drive
Vice President of Lodi Door and Metal, Inc.

There being no further persons wishing to speak on the matter, the public portion of the hearing was closed.

Council discussion followed with questions being directed to Staff.

On motion of Mayor Pro Tempore Katnich, McCarty second, Council approved the City Planning Commission's recommendation and certification of the filing of a Negative Declaration by the Community Development Director of the request of Lodi Door and Metal Company, Inc. to amend the Land Use Element of the General Plan and to rezone a parcel on the north side of East Pine Street, east of Cluff Road.

On motion of Mayor Pro Tempore Katnich, McCarty second, Council amended the Land Use Element of the General Plan by changing a 13.88 acre area which is located between State Route 12 (Victor Road) and East Pine Street, east of Cluff Road from Phase 2 to Phase 1 of Industrial Development.

Mayor Pro Tempore Katnich then moved introduction of Ordinance No. 1169 rezoning a 7.6 acre parcel on the north side of East Pine Street, east of Cluff Road from U-H, Unclassified Holding District to M-2, Heavy Industrial District. The motion was seconded by Councilman McCarty and carried by the following vote:

Ayes: Councilmen - Katnich, McCarty, Pinkerton,
and Katzakian

Noes: Councilmen - None

Absent: Councilmen - Hughes

COMPLAINT RE
NO RIGHT-OF-
WAY AT 1201
HALE ROAD, LODI

Mr. Curtis Drege, 1201 Hale Road (708 Beckman Road), Lodi addressed the Council complaining that there presently is no right-of-way at that location. Questions regarding the complaint were posed by the Council to Mr. Drege and to Staff. Mayor Katzakian directed the City Manager to check into the matter.

PLANNING COMMISSION

PROPOSED VACATION

TICKNOR COURT The City Manager gave the following report of the Planning Commission meeting of April 9, 1979:

CC-11-8) The Planning Commission -

1. Determined that no public need existed and recommended the abandonment of the westerly 3 feet of a 10 foot public utility easement only the east line of Lots 7, 8 and 9 (i.e., 240 and 250 Ticknor Court and 1601 West Lodi Avenue) with the exception of the north 10 feet of Lot 7 and the south 5 feet of Lot 8.

City Clerk Reimche apprised the Council that the matter had previously been set for Public Hearing on May 2, 1979.

The Planning Commission also -

1. Instructed the Chairman of the Planning Commission to appoint a Committee consisting of 2 Planning Commission members, 2 representatives of the Lodi Industrial Group and 3 lay citizens to review and make recommendations on the draft Noise Ordinance originally recommended by the Planning Commission on October 10, 1973. The Committee is to be appointed at the Planning Commission meeting of May 14, 1979.

ITEMS OF INTEREST

- CC-30 2. Amended the Use Permit for the Sun West Swim and Racquet Club which was originally approved April 10, 1972 to require that the club not operate before the hours of 7:00 a.m. during the months of June, July and August and 8:00 a.m. the remainder of the year.
3. Determined that two zoning hardships existed and approved the request of Mr. Marciano del Castillo for a Variance to reduce the required off-street parking for a building addition from 2 spaces to 0 spaces at 601 South Central Avenue in an area zoned C-1, Neighborhood Commercial.
4. Accepted the withdrawal of the request of Mr. Elmer Bertsch for a Use Permit to establish a card room at 100 North Cherokee Lane in an area zoned C-2, General Commercial.
5. Recommended approval of action initiated by the San Joaquin County Planning Commission to re-classify property from GA-1, GA-20 (General Agriculture), EA-1 (Exclusive Ag), I-PA (Interim Protected Agriculture) and R1-20, Residential to GA-10, GA-20 and/or GA-40 (General Ag), and enlarge agriculture preserve R-69-C1, in an area generally bounded by CCCT railroad on the west; the Mokelumne River and Elliott Road on the north; State Route 88, Brandt Road and Jack Tone Road on the east; and Kettleman Lane on the south. The rezoning is one in a continuing series to update the county's zoning. The proposal will increase minimum parcel size for new divisions.

COMMUNICATIONS

PETITION RE SPEED
LIMIT IN AREA OF
HAM LANE-CENTURY
TO HARNEY

The City Clerk presented a petition which had been received bearing approximately 211 signatures presented by "The Oaks ad-hoc Committee for the establishment of a 25 MPH Speed Limit". The petition relates to what is stated as "their" understanding that a 35 MPH speed limit will be requested by the City of Lodi Engineering Department on S. Ham Lane from Century Boulevard to Harney Lane; and further states that residents of that area wish to present the Council with arguments against the 35 MPH speed limit and strongly requests that a 25 MPH speed limit be established. Council was advised that this matter was listed as item "o" on the agenda and if Council so desired argument could be heard at that time. Council tacitly concurred to hear argument at the time item "o" is considered.

CLAIMS

City Clerk Reimche presented a claim which had been filed on behalf of Steven Porter showing a date of loss, of July 3, 1978. On motion of Mayor Pro Tempore Katnich, Katzakian second, the claim was denied and referred to the City's contract administrator.

The City Clerk presented a claim which had been filed on behalf of George Frogue showing a date of loss of July 9, 1978. On motion of Mayor Pro Tempore Katnich, Pinkerton second, the claim was denied and referred to the City's contract administrator.

ABC LICENSE

The City Clerk presented an application for Alcoholic Beverage License for Carrows Restaurants, Inc., David G. Nancarrow, Carrows Hickory Chip Restaurant, 612 E. Kettleman Lane, On Sale Beer and Wine Eating Place.

SUPPORT OF
ARTS BUDGET
URGED

The City Clerk presented a letter which had been received from San Diego's Mayor Pete Wilson to which was attached a copy of a letter that he had sent to the San Diego County Legislative delegation urging their support of the \$11.9 million arts budget proposed for the next fiscal year; and urging the City to write to its own legislative delegation urging their support.

PUC HEARING RE
CLOSING OF
VARIOUS CITY
CROSSINGS

The City Clerk advised the Council of the receipt of a Notice of Temporary Removal from the Calendar from the Public Utilities Commission advising that the investigation into the status, safety, maintenance, operation, use, protection and closing of various crossings at grade with the "D" Line of the Southern Pacific Transportation Company in the City of Lodi has temporarily been removed from the calendar. The Council was further advised that the City Attorney had been informally notified that the hearing has been reset for June 27, 1979 in Lodi and June 28, 1979 in San Francisco.

REPORTS OF CITY MANAGER

CONSENT CALENDAR Mayor Katzakian asked to abstain from voting on Agenda item "b" - "Approve Agreements (1130 W. Kettleman - Stockton Savings and Loan) and Agenda item "d" - "Approve Agreements, Subdivision Map - Maxwell Industrial Park".

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich second, were approved by Council, with Mayor Katzakian abstaining on items "b" and "d".

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,727,038.74.

APPROVE AGREE-
MENTS 1130 W.
KETTLEMAN-
STOCKTON SAVINGS
& LOAN
AGENDA ITEM "b"

CC-40

Council was apprised that the developer of 1130 W. Kettleman Lane has provided the City with the necessary agreements, bonds and development fees in the amount of \$3,375.09 for the proposed development. It was requested that the City Council approve the Improvement Plan and the Improvement Securities for the development of 1130 W. Kettleman Lane, a single parcel savings and loan site.

COUNCIL APPROVED THE IMPROVEMENT PLANS AND THE IMPROVEMENT SECURITIES FOR 1130 W. KETTLEMAN LANE AND DIRECTED THE CITY MANAGER TO SIGN THE DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY.

(Mayor Katzakian abstained from voting on this item).
(Agenda Item "b").

APPROVE
DEVELOPMENT
AGREEMENTS FOR
1617 S. ACKERMAN
DRIVE

CC-41

Council was apprised that the developer of 1617 Ackerman Drive has provided the City with the necessary agreements, bonds and development fees in the amount of \$2,154.15 for the proposed development. Council was requested to approve the improvement plans and the improvement securities for the development of 1617 Ackerman Drive.

COUNCIL APPROVED THE IMPROVEMENT PLANS AND THE IMPROVEMENT SECURITIES FOR 1617 ACKERMAN DRIVE AND DIRECTED THE CITY MANAGER TO SIGN THE DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY.

MAXWELL
INDUSTRIAL PARK
APPROVED

CC-46

The City Council was informed that the developer of Maxwell Industrial Park has provided the City with the necessary subdivision map, agreements, bonds, and development fee in the amount of \$122,478.21 for the proposed development. This subdivision is located between South Stockton Street and the Southern Pacific Railroad and will consist of twelve industrial lots.

MAXWELL INDUSTRIAL
PARK APPROVED
(Cont'd)

COUNCIL APPROVED THE FINAL MAP, THE IMPROVEMENT PLANS, AND THE IMPROVEMENT SECURITIES FOR MAXWELL INDUSTRIAL PARK, AND DIRECTED THE CITY MANAGER TO SIGN THE SUBDIVISION AGREEMENT ON BEHALF OF THE CITY.

(Mayor Katzakian abstained from voting on this item).

APPROVE SUBDIVISION
AGREEMENTS, ETC.
FOR BURLINGTON MANOR

CC-46

The City Council was informed that the developer of Burlington Manor is expected to furnish the City with the final map and the subdivision improvement plans as well as the necessary agreements, bonds and development fees for their proposed subdivision prior to the meeting of April 18, 1979 and it is in order for the City Council to approve these documents. This subdivision is located between Louie Avenue and Turner Road on the east side of Ham Lane and will consist of 27 residential lots zoned R-1 and R-2. The City will pay to the developer \$2,560.31 for some additional street work at the eastern limits of the subdivision.

COUNCIL APPROVED THE FINAL MAP, IMPROVEMENT PLANS, AND THE IMPROVEMENT SECURITIES FOR BURLINGTON MANOR AND DIRECTED THE CITY MANAGER TO SIGN THE SUBDIVISION AGREEMENT AND THE ELECTRICAL UTILITY AGREEMENT ON BEHALF OF THE CITY.

PLANS & SPECS FOR
CHURCH ST. STORM
DRAIN-OLIVE COURT
TO FORREST AVE.
APPROVED

CC-47

The Plans and Specifications for Church Street Storm Drain, Olive Court to Forrest Avenue were presented to the City Council for approval. Council was apprised that the installation of a storm drain on Church Street between Olive Court and Forrest Avenue was approved in the 1978-79 Capital Improvement Budget with an estimated expenditure of \$32,400. In general, the work consists of installation of 460 lineal feet of 24" pipe, 260 lineal feet of 21" pipe, and 2 manholes for the purpose of relieving the undersize storm drain system in the area.

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR CHURCH STREET STORM DRAIN, OLIVE COURT TO FORREST AVENUE AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

PLANS & SPECS FOR
CRESCENT AVENUE
STORM DRAIN-
WALNUT TO PINE
APPROVED

CC-48

Council was informed that the installation of a storm drain in Crescent Avenue between Walnut Street and Pine Street was approved in the 1978-79 Capital Improvement Budget with an estimated expenditure of \$53,400. In general, the work consists of the installation of 1130 feet of 24" storm drain, 167 feet of 12" storm drain, 1 catch basin, 1 manhole, and some miscellaneous concrete work.

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "CRESCENT AVENUE STORM DRAIN, WALNUT STREET TO PINE STREET" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

Minutes of April 18, 1979, continued

PLANS & SPECS
FOR GRAPE BOWL
RETAINING WALL
APPROVED

Plans and specifications for the Grape Bowl Retaining Wall were presented for Council's approval. Council was apprised that the retaining wall construction was approved in the Capital Improvement Budget with an estimated expenditure of \$65,000. In general, the work consists of constructing 340 lineal feet of 4 foot high retaining wall with drainage apron on each side of the stadium, fronting existing seats on the north and south sides. The required railing will be installed by the Parks and Recreation Department. Inspection of this project will be accomplished by Morris-Wenell Associates, the designers of the retaining wall.

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR THE GRAPE BOWL RETAINING WALL AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

DESTRUCTION OF
CERTAIN PUBLIC
WORKS RECORDS
APPROVED

Whereas, the City Attorney had reviewed and given his written consent to the destruction of certain records in the City of Lodi Public Works Department, Council adopted the following resolution:

RES. NO. 79-40

RESOLUTION NO. 79-40

RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC WORKS DEPARTMENT RECORDS.

ACCEPTANCE OF
LOCUST STREET
IMPROVEMENTS
& PLEASANT AVE.
IMPROVEMENTS

The City Council was informed that the contract for "Locust Street Improvements, Pleasant Avenue Improvements", which had been awarded to Teichert Construction of Stockton on January 3, 1979 in the amount of \$36,126 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "LOCUST STREET IMPROVEMENTS, PLEASANT AVENUE IMPROVEMENTS" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

LIBRARY
TECHNICAL
FURNITURE
ACCEPTED

COUNCIL ACCEPTED THE "LIBRARY TECHNICAL FURNITURE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE THEREON.

YIELD SIGNS
ESTABLISHED
ON TOKAY ST.
AT VIRGINIA
AVE.

Council was apprised that Tokay Street has recently been opened between Ham Lane and Virginia Avenue, which completes the extension of the street from Lower Sacramento Road to Cherokee Lane. Since this is the only east-west street between Lodi Avenue and Kettleman Lane which extends that distance, it can be expected that traffic volumes will increase, creating problems at intersecting streets.

RES. NO. 79-41

YIELD SIGNS
RES. NO. 79-41
(Cont'd)

COUNCIL ADOPTED RESOLUTION NO. 79-41 REMOV-
ING THE YIELD SIGN ON TOKAY STREET AT
VIRGINIA AVENUE AND ESTABLISHED THE FOLLOW-
ING STREETS AS STREETS WHICH ARE REQUIRED TO
STOP FOR TOKAY STREET:

HAMPTON DRIVE	PEACH STREET
ATHERTON DRIVE	WILLOW AVENUE
VIRGINIA AVENUE	ALTO WAY
CAMELLIA WAY	

PASSENGER
LOADING ZONE
ESTABLISHED ON
STOCKTON ST.

Mr. Wayne Trevina, Manager of Pacific Coast
Producers has requested a passenger loading zone on
Stockton Street south of Maple Street in a further
attempt to eliminate on-street parking problems and
traffic congestion in the vicinity of the cannery.

RES. NO. 79-42

RESOLUTION NO. 79-42

RESOLUTION ESTABLISHING A PASSENGER LOADING
AND UNLOADING ZONE ON THE WEST SIDE OF
STOCKTON STREET SOUTH OF MAPLE STREET.

NO PARKING ZONES
& ELIMINATION OF
ANGLE PARKING

Agenda item "n", entitled "Approve red zones and
diagonal parking elimination" was introduced by Public
Works Director Ronsko. Diagrams of the subject areas
were presented for the Council's perusal.

Following Council discussion with questions being
directed to Staff, Council, on motion of Mayor Pro
Tempore Katnich, Pinkerton second, approved traffic
signal installations on Ham Lane and Vine Street with
the establishment of "No Parking" zones as depicted
in a diagram presented to the Council by Staff by the
following vote:

Ayes: Councilmen - Katnich, Pinkerton and
Katzakian

Noes: Councilmen - McCarty

Absent: Councilmen - Hughes

Discussion followed regarding traffic signal installa-
tions and elimination of on-street parking in the area
of Lodi Avenue and Fairmont Avenue.

Speaking in opposition to the elimination of certain on-
street parking in this area was Dr. Ingeburg Kultzen,
1111 W. Lodi Avenue.

Following Council discussion, with questions being
directed to Dr. Kultzen and to Staff, Council, on motion
of Councilman Pinkerton, Katnich second, approved
traffic signal installations on Lodi Avenue and Fairmont
Avenue without establishing additional "No Parking"
zones.

NO PARKING
ANGLE PARKING
(Cont'd)

Council, on motion of Councilman Pinkerton, Katnich second approved a flashing beacon installation at Stockton Street and Elm Street.

Traffic signal modifications and the establishing of additional "No Parking" zones on those streets depicted with an asterisk were discussed at length by the Council:

Lodi Avenue and Ham Lane
Lodi Avenue and Crescent Avenue
Lodi Avenue and Hutchins Street
Lodi Avenue and Church Street
*Lodi Avenue and School Street
*Lodi Avenue and Sacramento Street
Lodi Avenue and Stockton Street
*Lodi Avenue and Central Avenue
Lodi Avenue and Cherokee Lane

Following Council discussion, Council on motion of Mayor Pro Tempore Katnich, Pinkerton second approved traffic signal modifications without eliminating any additional parking spaces on:

Lodi Avenue and Ham Lane
Lodi Avenue and Crescent Avenue
Lodi Avenue and Hutchins Street
Lodi Avenue and Church Street
Lodi Avenue and Stockton Street
Lodi Avenue and Cherokee Lane

The following persons addressed the City Council speaking in opposition to eliminating additional parking spaces on:

Lodi Avenue and School Street
Lodi Avenue and Sacramento Street

- a) Mr. Rudy Wright, Sherwin-Williams Co.,
26 W. Lodi Avenue, Lodi
- b) Mr. Randy Morrison, Long John Silvers
Sea Food Shoppe, 14 W. Lodi Avenue, Lodi
- c) Mrs. Marty McCann, Tradewind Tires of
Lodi, 1 W. Lodi Avenue, Lodi

Also addressing the Council on the entire matter was Dr. C. W. Fortier, 840 S. Fairmont Avenue, Lodi.

The Public Works Director recommended that, in order to eliminate accidents and to provide for the 25% left hand turning movement, "No Parking" zones be established to provide for left turn pockets at the Lodi Avenue intersections at School and Sacramento Streets.

Following Council discussion with questions being directed to those giving testimony and to Staff, Council, on motion of Councilman Pinkerton, Katnich second, approved traffic signal modifications without establishing additional "No Parking" zones on Lodi Avenue and School Street and Lodi Avenue and Sacramento Street.

NO PARKING
ANGLE PARKING
(Cont'd)

The City Council was advised by Public Works Director Ronsko that the plans for the modification of the signal at Lodi Avenue and Central Avenue provide for a separate right turn on the south leg of the intersection; realignment of the pedestrian crosswalk on the west leg; and realignment of the painted island on the north leg. To provide for these improvements, it will be necessary to convert the existing angle parking on Central Avenue between Lodi Avenue and Hilborn Street to parallel parking.

Speaking in opposition to the proposed parallel parking were:

- a) Mr. Brandon Purdy, 315 S. Central Ave., Lodi
- b) Mr. Dan Schimke, 443 E. Vine Street, Lodi
- c) Mrs. L. Lourdeau, 310 S. Central Ave., Lodi

A lengthy Council discussion followed with Councilman McCarty moving that the area be left as it presently is with no modifications being made to the present parking patterns. The motion died for lack of a second. Additional discussion followed. On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council continued the matter to the regular Council meeting of May 2, 1979 to allow time for further review of the matter by Council.

ESTABLISH SPEED
ZONE, HARNEY,
HAM, & CENTURY

Agenda item "o" - "Establish speed zone, Harney, Ham, and Century" was introduced by City Manager Graves who apprised the Council that since the Agenda had been prepared, Staff had an opportunity to discuss the matter with Judge Seibly and that it would be his recommendation that the item be continued to allow Staff additional time to review this latest information. Background information on the subject was presented by Public Works Director Ronsko.

A number of persons were in the audience who wished to address the Council on the matter and they asked to be heard at this time.

- a) A petition bearing approximately 211 signatures which in part states that it is their understanding that a 35 MPH speed limit is being proposed by the City staff; however, residents of this area wish to present to the City Council arguments against the 35 MPH speed limit and very strongly request a 25 MPH speed limit be established.

Spokesman for the group signing the petition was Mr. Mike Williams, 2312 S. Ham Lane, Lodi who addressed the Council giving a presentation on behalf of the group opposing the 35 MPH speed limit and urging a 25 MPH speed limit be established.

Also speaking in opposition to the proposed 35 MPH speed limit was:

- a) Mr. Arthur Price, 1053 Port Chelsea Circle, Lodi
- b) Mr. Loren Twing, 1015 S. Church Street, Lodi

ESTABLISH
SPEED ZONE
(Cont'd)

c) Mr. Charles Santini, 1001 Dartmoor Circle, Lodi

d) Mr. Carl Barben, 1135 Dartmoor Circle, Lodi

Also speaking on the matter was Dr. C. W. Fortier,
840 S. Fairmont Avenue, Lodi, California

Council discussion followed with questions being
directed to staff.

On motion of Mayor Pro Tempore Katnich, Pinkerton
second, the matter was continued to allow time to
gather and analyze further information on the subject.
Staff was instructed to notify Mr. Mike Williams,
2312 S. Ham Lane, Lodi, spokesman for the concerned
citizens in the area, as to the date this matter will again
come before the Council.

RECESS

Mayor Katzakian declared a five-minute recess and the
Council reconvened at approximately 9:40 p.m.

MASTER
- DRAINAGE FEE
FOR PARKING
LOT EXPANSION
AT 1800 S.
CHEROKEE LANE

Council was advised that in January of this year, the
City staff mailed a letter (copy of which was presented
for Council's perusal) to Mr. Leon Croce, owner of a
parcel located at 1800 S. Cherokee Lane, which requested
payment of master drainage fees for a parking lot expan-
sion. The City Staff met with the owner of this parcel on
3 occasions, and Mr. Croce feels he is not in a position
to accept the City's offer of a deferred payment as out-
lined in the City's letter.

Mr. Croce addressed the Council regarding his position
on the matter. Council discussion followed with
questions regarding the matter being directed to Staff and
to Mr. Croce.

On motion of Mayor Pro Tempore Katnich, Pinkerton
second, Council determined that Mr. Croce would be
responsible only for the payment for the second expansion
on his property which fee would amount to \$1,592.80.

MODIFICATION OF
STATE AGREEMENT
FOR RAILROAD
CROSSING PROTEC-
TION AT HARNEY &
SPRR CROSSING

Public Works Director Ronsko advised the Council that it
was necessary to revise an agreement with the State
Department of Transportation re the railroad crossing
protection at Harney Lane and SPRR Crossings in order
that the City could use its full share of the State Matching
151.3 Funds, which were allocated to the City during this
fiscal year. This modification was necessary due to the
funds originally being proposed for a Safer Off-System
Roads project, which was not approved by the State.

RES. NO. 79-43

CC-7(5)

On motion of Councilman Pinkerton, Katnich second,
Council adopted Resolution No. 79-43 approving the modi-
fication of the State Agreement for railroad crossing pro-
tection at Harney Lane and SPRR crossing and authorized
the City Manager to execute the agreement on behalf of
the City.

SPECIAL ELECTION
JUNE 26, 1979

RES. NO. 79-44

CC-13

Following introduction of the matter by City Clerk Reimche and a review of certain provisions of the Elections Code regarding Initiative Elections, Council took the following actions on motion of Mayor Pro Tempore Katnich, Pinkerton second.

RESOLUTION NO. 79-44

Resolution setting the Special Election to bring to a vote of the voters whether Section 27-9 (b) 2 (i) of the City Code of the City of Lodi, entitled, "Building Site Area Requirements" should be amended, for Tuesday, June 26, 1979; directing the City Attorney to prepare an impartial analysis of the measure; determined that members of the legislative body would file a written argument; authorized a 3-to 1 consolidation of the precincts, which would provide for a total of eight precincts; approved a contract with the San Joaquin County Department of Registration and Elections for the use of certain services, facilities and equipment; and approved a Special Allocation in the amount of \$13,500 to cover the estimated cost of the election.

CONDITIONAL
APPROVAL OF 911
TELEPHONE SYSTEM
FINAL PLAN

RES. NO. 79-45

CC-14

City Manager Glaves advised the Council that 911 Emergency Telephone legislation was originally signed into law in 1972 as AB 515. The bill required all cities, counties and emergency service districts in California to prepare and establish 911 emergency telephone systems by 1982. In 1976, the Legislature enacted AB 416 to provide financing for 911 systems from revenues generated by a one-half percent (0.5%) surcharge on intrastate telephone service, effective July 1, 1977. Additionally, the 911 final plan filing and implementation dates were extended to July 1, 1978 and December 31, 1984 respectively. Lodi, one of four PSAP's (Public Safety Answering Point) to be located in San Joaquin County, submitted a 911 Incremental Cost Summary on September 25, 1978. The grand total for the first year was estimated at \$454,986 if implemented in 78/79 and projections to over \$682,478 if implementation were in 1984.

The 911 Emergency Telephone System legislation was initially supported by cities and counties on the basis that the costs would be FULLY financed by the telephone surcharge tax revenues, however, revised estimates indicate that the telephone surcharge will be inadequate to properly fund a statewide telephone system. Additionally, the State Guidelines Manual reports that the schedule for reimbursements of incremental costs will be subject to the availability of funds.

Council discussion followed with questions regarding the matter being directed to Staff.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council adopted Resolution No. 79-45 approving the 911 Emergency Telephone System Final Plan subject to the condition that corrective legislation be enacted by the Legislature to either provide full funding of all 911 system costs (including implementation and maintenance) or to delete the existing mandate.

APPLICATION TO
LAFCO IN THE
MATTER OF THE
SLATE ADDITION

RES. NO. 79-46

Following introduction of the matter by City Manager Graves and additional background information being provided by Community Development Director Schroeder, Council adopted Resolution No. 79-46 - Resolution of the City Council of the City of Lodi for the Application to the San Joaquin County Local Agency Formation Commission in the matter of the proposed Slate Addition reorganization, including the detachment of certain territory within the area proposed for annexation to the City of Lodi.

Mayor Katzakian asked to abstain from voting on the following item because of a possible conflict of interest.

APPLICATION TO
LAFCO IN THE
MATTER OF THE
FILLEY RANCH
ANNEXATION
NO. 2

RES. NO. 79-47

Following introduction of the matter by City Manager Graves and additional background information being provided by Community Development Director Schroeder, Council, on motion of Councilman Pinkerton, Katnich second, adopted Resolution No. 79-47 - Resolution of the City Council of the City of Lodi for the Application to the San Joaquin County Local Agency Formation Commission in the matter of the proposed Filley Ranch Annexation No. 2 reorganization, including the detachment of certain territory within the area proposed for annexation to the City of Lodi, with the understanding that those persons proposing the annexation are fully aware that at the present time the subject parcel may not be developed for urban use because terminal storm drainage facilities are not available. The City Council had previously determined that no additional "temporary" drainage facilities will be permitted in the area; and that upon annexation to the City of Lodi, the Williamson Act Contract with San Joaquin County covering this parcel will be voided, and the property will be taxed for its full cash value. The Resolution was adopted by the following vote:

Ayes: Councilmen - Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Abstain: Councilmen - Katzakian

Absent: Councilmen - Hughes

AWARD REFUSE
COLLECTION
CONTRACT

RES. NO. 79-48

Agenda item "v" - "Award Refuse Collection Contract" was introduced by City Manager Graves. Councilman Pinkerton reported on various meetings that he, Mayor Pro Tempore Katnich and Assistant City Manager Glenn had with representatives of Sanitary City Disposal Co., Inc. and Lodi Resource Recovery and Disposal Company regarding their respective proposals. Councilman Pinkerton concluded his remarks by apprising the Council that an amended proposal had just been received from Sanitary City Disposal Co., Inc. and that it would be Mayor Pro Tempore Katnich and his recommendation that Sanitary City Disposal Co., Inc. continue to provide residential and commercial collection and disposal of garbage in the City of Lodi pursuant to the proposal received from that Company dated April 18, 1979.

A lengthy discussion followed with questions being directed to staff and to the City Attorney.

AWARD REFUSE
COLLECTION
CONTRACT
RES. NO. 79-48
(Cont'd)

Addressing the Council on the recommendation were:

- a) Mr. Robert J. Mertz, representing Lodi Resource Recovery and Disposal Company
- b) Mr. Gene Walton, representing Sanitary City Disposal Co., Inc.

Following additional discussion, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, adopted Resolution 79-48 designating that Sanitary City Disposal Co., Inc. will continue to provide residential and commercial collection and disposal of garbage in the City of Lodi pursuant to the proposal received from that company dated April 18, 1979 which in part provides for a base rate charge for residential service of \$3.00 for the first can and \$1.40 for each additional can in excess of one can.

The City Attorney was requested to prepare a formal contract for submission and approval by the City Council.

COUNCILMAN
KATNICH EXCUSED

Councilman Katnich asked to be excused from the meeting at approximately 11:50 p.m. and was subsequently excused by Mayor Katzakian.

SALARY
INCREASED
GRANTED EM-
PLOYEES OF
ELECTRICAL UNIT
& MAINTENANCE &
OPERATORS UNIT

Following introduction of the matter by Assistant City Manager Glenn, Council, on motion of Councilman Pinkerton, McCarty second, received for filing Employees Compensation Memorandum of Understanding - Electrical Unit and Maintenance and Operators Unit.

RES. NO. 79-49

On motion of Councilman Pinkerton, McCarty second, Council adopted Resolution No. 79-49 establishing compensation for certain classified personnel in the Electrical Unit and Maintenance and Operators Unit as detailed in a presentation to Council by Assistant City Manager Glenn.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Katzakian adjourned the meeting at approximately 12 Midnight on motion of Councilman Pinkerton, McCarty second.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK